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Attorney for Defendant
Scottsdale Indemnity Company

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CLARENCE JONATHON WOOD and HEIDI
COLLINGWOOD,

Plaintiffs,

v.

SCOTTSDALE INDEMNITY CO.; and
DOES 1 to 100, inclusive,

Defendants.

CASE NO. CV 08 3335 SBA

**AFFIDAVIT OF LINDA WENDELL HSU
IN SUPPORT OF DEFENDANT
SCOTTSDALE INDEMNITY COMPANY'S
MOTION TO DISMISS COMPLAINT**

Date : September 23, 2008
Time : 1:00 p.m.
Ctrm. : No. 3, 3rd Floor
Judge : Hon. Sandra Brown
Armstrong

I, LINDA WENDELL HSU, declare as follows:

1. I am a partner with the law firm SELMAN BREITMAN LLP, counsel of record for Defendant Scottsdale Indemnity Company ("Scottsdale"). I am duly licensed to practice in all the courts of the State of California and in the United States District Court for the Northern District of California. I have personal knowledge of the facts stated in this declaration and if called to testify, could and would competently testify thereto.

2. On July 14, 2008, I sent a meet and confer letter to David P. Dibble, counsel for plaintiff Clarence Jonathon Wood,

1 and Zachary E. Zwerdling, counsel for plaintiff Heidi
2 Collingwood, regarding Scottsdale's motion to dismiss. A true
3 and correct copy of the correspondence with confirmation of
4 facsimile transmittal is attached to Scottsdale's Index of
5 Exhibits as Exhibit "I".

6 3. The parties stipulated that Scottsdale could have a two
7 week extension of time to respond to plaintiffs' complaint so
8 that the parties could have additional time to meet and confer
9 about Scottsdale's motion to dismiss. That stipulation is on
10 file with this Court.

11 4. On July 22, 2008, I sent another letter to Mr. Dibble
12 and Mr. Zwerdling to meet and confer regarding Scottsdale's
13 motion to dismiss. A true and correct copy of my letter is
14 attached hereto as Exhibit "J".

15 5. In the late afternoon of July 28, 2008, I received a
16 response from Mr. Dribble, a copy of which is attached hereto as
17 Exhibit "K".

18 I declare under penalty of perjury under the laws of the
19 State of California and the laws of the United States that the
20 foregoing is true and correct.

21 Executed this 29th day of July, 2008, at San Francisco,
22 California.

23 
24 Linda Wendell Hsu
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PROOF OF SERVICE

Clarence Jonathon Wood and Heidi Collingwood v. Scottsdale Indemnity Company
 United States District Court Northern District of California Case No. CV 08 3335 SBA

I am employed in the County of San Francisco, State of California. I am over the age of 18 years and am not a party to the within action; my business address is 33 New Montgomery, Sixth Floor, San Francisco, CA 94105. On **July 29, 2008**, I served the following document(s) described as **AFFIDAVIT OF LINDA WENDELL HSU IN SUPPORT OF DEFENDANT SCOTTSDALE INDEMNITY COMPANY'S MOTION TO DISMISS COMPLAINT** on the interested parties in this action as follows:

by placing a true copy thereof enclosed in sealed envelopes addressed as follows:

David P. Dibble, Esq.
 Law Offices of David P. Dibble
 123 F Street, Suite D
 Eureka, CA 95501
 (707) 444-9330

Attorneys For Plaintiff CLARENCE
 JONATHON WOOD

Zachary E. Zwerdling, Esq.
 Law Office Of Zachary E. Zwerdling
 123 F Street, Suite C
 Eureka, CA 95501
 (707) 445-9628

Attorneys For Plaintiff HEIDI
 COLLINGWOOD

☒ **BY MAIL:** By placing a true copy thereof in a sealed envelope addressed as above, and placing it for collection and mailing following ordinary business practices. I am readily familiar with the firm's practice of collection and processing correspondence, pleadings, and other matters for mailing with the United States Postal service on that same day with postage thereon fully prepaid at San Francisco, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ **BY OVERNIGHT COURIER:** I caused the above-referenced document(s) to be delivered to FEDERAL EXPRESS for delivery to the addressee(s).

☐ **BY E-MAIL:** I transmitted a copy of the foregoing documents(s) via e-mail to the addressee(s).

☐ **BY FAX:** I transmitted a copy of the foregoing documents(s) via telecopier to the facsimile numbers of the addressee(s), and the transmission was reported as complete and without error.

☐ **BY PERSONAL SERVICE:** I personally delivered such envelope by hand to the offices of the addressee(s).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on **July 29, 2008**, at San Francisco, California.


 LAURA TALESNIK

Selman Breitman LLP
 ATTORNEYS AT LAW